

Appl. No. 10/039,113
Amdt. Dated 10/14/2004
Reply to Office Action of July 28, 2004

REMARKS/ARGUMENTS

This Amendment is in response to the Office Action mailed July 28, 2004. In the Office Action, claims 6, 12 and 18 were objected to as being dependent on a rejected base claim, but these claims were considered to contain allowable subject matter. However, claims 1-5, 7-11, 13-17, 19, 20, 23, 24, 27, and 28 were rejected under 35 U.S.C. § 102, and claims 21, 22, 25, 26, 29 and 30 were rejected under 35 U.S.C. § 103. Reconsideration in light of the amendments and remarks made herein is respectfully requested.

Allowable Subject Matter

Applicants note with appreciation the Examiner's indication of allowable subject matter. The Examiner objects to claims 6, 12 and 18 as being dependent on a rejected base claim, but indicates that the claims would be allowable if rewritten in independent form. Applicants have placed claims 6, 12 and 18 into independent form to some of the limitations set forth in claims 1, 7 and 13, respectively. Claim 7 has been converted to dependent claims including limitations associated with the allocator as claimed. Claims 1, 13 and 19-30 have been cancelled without prejudice. Applicants respectfully request that pending independent claims 6, 12 and 18 are in condition for allowance as well as claims 2-5, 7-11, and 14-17 dependent thereon.

Rejection Under 35 U.S.C. § 102

Claims 1-5, 7-11, 13-17, 19, 20, 23, 24, 27, and 28 were rejected under 35 U.S.C. § 102(b) as being anticipated by Tran (USP 6,604,190). While Applicants respectfully traverse this rejection, further discussion is moot in light of the amendments to claims 6, 12 and 18 noted above and the cancellation of claims 19-30. Applicants respectfully request that the outstanding § 102(b) rejection be withdrawn.

Rejection Under 35 U.S.C. § 103

Claims 21, 22, 25, 26, 29 and 30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Tran. While Applicants respectfully traverse this rejection, further discussion is moot in light of the cancellation of claims 19-30 without prejudice. Applicants respectfully request that the outstanding § 103(a) rejection be withdrawn.

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Conclusion

Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 10/14/2004

By


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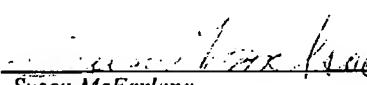
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